



146.1307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
JEAN-LUC DUBOIS :
Serial No.: 09/202,217 :
Filed: December 9, 1998 :
For: NEW DEVICES...AS MEDICAMENTS :

600 Third Avenue
New York N.Y. 10016

DECLARATION

Asst. Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUL 19 2002

OFFICE OF PETITIONS

Sir:

Jean-Claude Vieillefosse hereby deposes and says:

That the present place of residence of Jean-Luc Dubois is not known to the Assignee of the above application since Mr. Dubois has moved to another city and has refused to present his present address.

That the last address known to the Assignee for Mr. Dubois was his place of employment at Sanofi Recherche at 371 rue du Professeur Blayac, 34000 Mont Pellier, France. However, Mr. Vieillefosse has been informed that Mr. Dubois no longer works for Sanofi Recherche and he is unaware of his present residence.

That during several telephone conversations between Mr. Vieillefosse and Mr. Dubois after the applications and assignments had been forwarded to him at his new place of employment, Mr. Dubois refused to execute the documents.

That inadvertently, in the declaration that he executed on January 25, 2002, he indicated that Jean-Luc Dubois was employed by Aventis Pharma and this is an incorrect statement since he was

employed by Roussel Uclaf which was merged into Hoechst Marion Roussel which latter company was then merged into the present Assignee, Aventis Pharma S.A.

That it can be seen from the notification of the change of registration of the name filed with the application, that Roussel Uclaf has become Hoechst Marion Roussel. The merger of Roussel Uclaf into Hoechst Marion Roussel was recorded in the Patent Office on July 14, 1999 beginning at frame 0807 of reel 10070. The merger of Hoechst Marion Roussel into Aventis Pharma S.A. was recorded in the Patent Office on February 1, 2001 beginning at frame 0001 of reel 11497. Therefore, the line of title is clear and Aventis Pharma S.A. is the 1.47(b) Applicant.

That Mr. Dubois was performing an inventive task which corresponds to his actual duties and was performing studies and research with which he had been explicitly entrusted.

That he had first-hand knowledge of Mr. Dubois' research duties as a result of his activities as head of the patent department for the Assignee at the time Mr. Dubois was doing his research and as noted previously, part of his duties was to review invention disclosures and determine whether or not to proceed with the filing of a patent application based on that research.

That he was carrying out these duties with respect to Mr. Dubois' activities with respect to the project covered in the present patent application.

It is declared by the undersigned that all statements made herein of undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S. Code 1001, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Aventis Pharma S.A.
Société Anonyme à Directoire
et Conseil de Surveillance
au Capital de 620 541 846 Euros
20, avenue Raymond Aron
F - 92160 Antony
R.C.S. Nanterre B 304 463 284

Date:

July 11, 2002


Jean-Claude Vieillefosse
Head of Patent Dept.
Aventis Pharma S.A.

Jean-Claude VIEILLEFOSSE
CHEF DU DÉPARTEMENT DES BREVETS
FONDÉ DE POUVOIR